

REPORT PROFORMA						Status	CPO
Application No: 2017/62				Date of Committee			
Decision Code: RR				Expiry indicator			
Constraints: Green Belt, Conservation Area, ASAC, Listed Building within 20m							
Listed Building	Adjacent II / II*	Grade	N	Comments			
Site Area	0.7 Ha	No. Parking Spaces		Res. Parking Average			
% reduction in CO ₂			KwH produced from renewables				
Housing							
Existing use							
Res. Net Density							
Number of units	Gross		Demolished		Net gain		
Number of affordable units	Social Rented						
	Intermediate						
Housing detail	No. of units		No. of beds		Flat/House		
Land type	Brownfield / Greenfield		Windfall / Allocation				
Code for sustainable homes	Level		Lifetime Homes Standard		All relevant criteria met		
Has the new development provided an infrastructure/service provision or a financial contribution						Yes/No	
Commercial 50sqm or greater							
Previous use class 1				Floorspace m ²			
Previous use class 2				Floorspace m ²			
Previous use class 3				Floorspace m ²			
Proposed use class 1				Floorspace m ²			
Proposed use class 2				Floorspace m ²			
Proposed use class 3				Floorspace m ²			
Hotels		No. of bed spaces					
Has the new development provided an infrastructure/service provision or a financial contribution						Yes/No	
Added Value (describe below how the application has been improved, either since a previous application or by way of negotiation)							

Application No: 2017/62

RECOMMENDATION:

REFUSE

Site Description

The application site is on the west side of Station Road, Lingfield and is within an area designated as Green Belt. It is a large detached 2-storey dwelling dating from the Victorian era, it is situated within a large plot and it is well set back from the highway.

To the north is the Grade II* listed building New Place. The walls surrounding New Place are Grade II listed. To the south are open fields and countryside, to the east scattered large detached dwellings.

Relevant History and Key Issues

88/618 - Demolition of existing and erection of new sun lounge together with provision of new vehicular access and erection of attached double garage. Approved 21.07.88.

2007/36 - Erection of conservatory to south elevation. Approved.

2009/698 - Lowering of existing basement floor and creation of new basement area to provide habitable accommodation with associated lightwell and exterior staircase attached to north elevation. Approved.

2009/1464 - Demolition of garage and erection of attached 'L' shaped garage with accommodation over. Erection of entrance gate with pillars, net fencing and alterations to drive and access. Refused

2014/435 – Erection of a 4 bay detached carport. Refused 12/12/2014.

The key issue is whether or not the proposal represents inappropriate development in the Green Belt and, if so, whether there are any very special circumstances sufficient to outweigh the harm that might otherwise be caused by allowing inappropriate development in the Green Belt, and any other harm.

Proposal

Erection of detached outbuilding, boundary wall and gates and 12 column security lights. (Retrospective)

The boundary wall, gates and 12 column security lights have already been installed, and permission is sought retrospectively, whereas the outbuilding has not been.

Development Plan Policy

Tandridge District Core Strategy 2008 – Policies CSP18

Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP7, DP13, DP20

National Advice

National Planning Policy Framework (NPPF) (2012)

Planning Practice Guidance (PPG)

Statutory Consultation Responses

County Highway Authority – THE COUNTY HIGHWAY AUTHORITY has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.

Informative Note to the LPA:

The CHA has undertaken a site visit to the above application in order to make a further assessment. During which it was noted that the boundary wall and gates have already been installed. The access is wide sufficient space has been created to allow two vehicles to enter/exit the site at the same time without obstructing the public highway. Measurements taken at the site indicate that achievable visibility in the left hand side is approximately 57m; which is more than adequate for a 30mph road and in line with guidance. There has been a single accident (due to inclement weather and speeding) at the access site and there is nothing to suggest that the improvements made will increase road safety issues. As such, the CHA has no further comments to make.

Following a number of third party representations as to the potential impact of the security lights on road safety, further clarification was sought from the County Highways Authority as to whether their initial assessment had considered this. The following response was received:

“The lights are located down the internal drive and are within the site so will not have a road safety impact. Therefore we have no requirements for this application. “

Surrey Heritage Conservation - Archaeology Officer – I have no archaeological concerns.

The application should be referred to the Heritage Conservation Officer who advises Tandridge District Council for his opinion on any potential impact of the boundary wall with respect to the Conservation Area within which it is located and on the setting of the Grade II* New Place and its Grade II garden wall.

Surrey Heritage Conservation - Historic Buildings Advisor – The header shows that the historic environment considerations are the character and appearance of the conservation area and the setting of nearby listed buildings, in this case New Place garden walls (grade II) and New Place itself (grade II*). Special regard has to be had to these matters in the determination of the application in accordance with sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The NPPF extends consideration to the impact on the significance of the listed building and places an expectation that the applicant will provide a heritage statement to assess this (Policy 128). The submitted heritage statement describes neither the conservation area nor the setting of the listed building. In the absence of such a statement I have set out the significance below.

New Place carries a date of 1617. Both the house and the garden walls are of fine local sandstone. The house has a Horsham stone roof. The use of these high-quality materials are matched by the high quality of the craftsmanship of the carved stonework and the design qualities of the two listed buildings. Stone is an expensive material and expensive to carry any distance. Both the stone walling and Horsham stone roof are designed to impress the onlooker and demonstrate the wealth of the owner of New Place. The only comparable buildings locally are the parish church and The College next to the church both of which are highly listed.

The core of the conservation area is the village centre itself but the boundary includes New Place and the open space around it. Boundary walls are uncommon in village locations the use of stone at new place is particularly striking. It gives the site a very distinctive character unparalleled elsewhere in conservation area. When first built New Place would have stood in splendid isolation with all the neighbouring properties and fields having hedges for boundaries. This is the ideal setting for the listed house and garden walls.

The application site is immediately south of the listed building. The proposal is to retain a substantial brick wall along the boundary Station Road where there was previously a hedge. You will understand that from a heritage point of view this harms the setting of the listed building and is therefore contrary to the heritage policies of the National planning policy framework.

In view of the absence of a meaningful statement of the heritage implications of approving this application I am of the view that the application is contrary to policy 128 of the National Planning Policy Framework.

I have assessed the proposal in accordance with policies 129 and 132 of the NPPF and find that the wall causes harm to the setting of the adjacent listed building and this detracts from its significance as a building of special architectural or historic interest

I have considered the erection of a shed which forms part of this application and am of the view that this would not compromise the heritage interest of the conservation area listed buildings. The erection of external lights would draw attention away from the listed buildings and introduce a strikingly modern element into their setting. I do not have details of these so cannot comment in detail on the degree of harm that would result.

Lingfield Parish Council – Object:

- Trees have been removed without permission
- The level of lighting which has been installed is inappropriate in a Conservation Area
- Materials used are not in keeping with the house
- Walls are too high
- Impacts on adjacent Grade II listed building
- There is a highways safety issue whereby drivers could be distracted by the lights

Third Party Comments – Objections:

- Modifications made without planning permission
- Changes, notably the lighting are totally out of keeping with character of the street
- Out of keeping with protected heritage site
- Lighting more suitable for an airport runway
- Too bright
- Illuminated sign diminishes historical nature of house and surroundings
- Strongly object
- Changes insensitive to Conservation Area
- Lighting more suitable around a prison
- Lighting environmentally unfriendly

- Damage habits for wildlife such as roosting birds
- Illuminated sign should not be permitted
- 10" tall obelisk is ridiculous and inappropriate in a Conservation Area
- Criminal offence applicable to demolition of buildings in a Conservation Area should apply here
- Holds the planning process in contempt
- Wall is wholly unsuitable as a visual extension of the Jacobean stone wall of New Place Stables
- Drive and large pillars and gates are too wide and grandiose for the modest Victorian house
- Setts inappropriate
- Lighting brings danger to traffic
- Wall should be replaced with trees
- Lights should be reduced
- Transgression of planning law
- Lighting more suitable for a public car park
- Movement sensitive lighting more appropriate
- Trees illegally felled
- Heritage statement littered with errors
- Brick wall out of keeping
- Lighting draws attention to the house
- Bushes planted against the walls in light of clear observation about the impact on the adjacent wall
- Significant light pollution
- Scheme more suitable for a Hollywood Mansion
- Flagrant planning abuse should be prosecuted
- Sets extremely bad example and a precedent
- Urge you to use the full force of law

Third Party Comments – In support / neutral:

- Works substantially enhanced the look and quality of the property and the area
- Works appear to be of a high standard
- Scale of the building work is commensurate with the size of the site and work undertaken at sites nearby
- No objection to detached outbuilding

Assessment

Procedural matters

A number of third party comments object to the retrospective nature of the application. However it is a reality that development is sometimes carried out without the necessary permission. Planning regulations allow for permission to be sought retrospectively in order to regularise unauthorised development. As such the application will be assessed on its merits, in the context of the site, the Development Plan Policies and material considerations including the amenities of neighbouring properties and the impact on the character and appearance of the area. Notwithstanding this, the carrying out of unauthorised development is at the risk of the applicant and there is no guarantee that planning permission will be granted. Any other development may be unauthorised, in breach of planning control and may be liable to enforcement action by the Council and this would be examined separately.

Principle of development

The property is located within the Green Belt, where inappropriate development, which is deemed harmful, is unacceptable unless it justifies very special

circumstances. The erection of walls and gates, and the lightning columns which can be considered as structures, do not fall within any of the exceptions for development in the Green Belt, and therefore constitute inappropriate development. Inappropriate development is by definition harmful to the Green Belt. No very special circumstances have been submitted in respect of the proposed walls, gates and lights and so it is concluded that no 'very special circumstances' exist to clearly outweigh the resulting harm of the proposal in the Green Belt. Therefore the proposal fails to comply with the provisions of Policies DP9, DP10 and DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies.

The erection of an outbuilding is inappropriate development, but can be justified by very special circumstances if it meets all the criteria under Policy DP14. This is dealt with below.

Outbuilding

The proposed outbuilding appears to constitute permitted development therefore it is not necessary to assess it under Policy DP14. If formal confirmation is required, a lawful development certificate must be applied for. As such, no further consideration of the outbuilding is necessary.

Character and Appearance and impact on Conservation Area

In isolation from the Green Belt perspective, Policy DP9 permits the erection of fences / walls / gates subject to a number of criteria, namely, that proposals would not result in the enclosure of incidental landscaped / open plan garden areas which contribute to the character of a residential area. Proposals involving harsh and/or incongruous features are unlikely to be permitted. In this case, the walls and gates are substantial structures, ranging from roughly 2.1 to 2.6 metres in height. The walls replace a previously open boundary with mature hedging. The height of the walls is considered excessive and out of keeping with the character and appearance of the area, with the brick and large coping stones constituting a harsh and incongruous feature. Furthermore, the walls clearly enclose the previously open features of the substantial garden area of the dwelling. Before the installation of the gates, the open garden and landscaping was considered to contribute to the character of the area, softening the boundary between the developed part of the Conservation Area and the wider undeveloped Green Belt beyond. The proposal is therefore considered to fail to comply with the requirements of DP9 and have a harmful impact on the character of the area. Furthermore, Policy DP20 requires works to conserve or enhance the character and setting of a Conservation Area. The substantial size of the walls and gates are considered prominent and out of character features within the area, excessive in scale, form, bulk and height. The grass lawn bordered by brick between the walls and the road have an uncomfortable and hard appearance, protruding out into the road. The use of materials do not sit well adjacent to the more traditional appearance of buildings and walls in the surrounding area, particularly the coping stones atop the walls, which are a harsh and prominent feature, having a harmful impact on the Conservation Area and failing to comply with policy DP20.

Additionally, the presence of the multitude of column security lights is considered to constitute an unwelcome urbanising feature, further out of keeping with the rural character and appearance of the area, and also having a detrimental impact on the wider setting of the Conservation Area.

Adjacent Listed Buildings

The proposal is considered to be harmful to the setting of the adjacent Grade II* Listed New Place, and the Grade II listed walls that surround it. When first constructed New Place would have been isolated and surrounded by fields, with the walls an impressive sign of the wealth of the owner. The proposal erodes this setting, detracting from the significance of the buildings. The security lights are strikingly

modern and draw attention away from the Listed structures and further impact their setting. DP20 requires proposals that harm a designated heritage asset and its setting to have significant public benefits proportional to the significance of the asset and the resulting harm. In this case no such benefits exist. Given the high significance of the Grade II* listed building adjacent, very substantial weight is given to the resulting harm of the proposal, which is contrary to both policy DP20 and the NPPF.

Neighbouring amenity

A number of third party comments relate to the impact of the security lighting. Although it is considered that the lighting may have some impact on the amenities of neighbouring properties, it is not considered that it would be so severe as to significantly and demonstrably impact upon them. The walls and gates and outbuilding are also not considered to have any significant impact on neighbouring amenity.

Highways

The County Highways Authority has not raised any objections so it is not considered that the proposal would have a harmful impact on the safety and operation of the highway. No objections are raised under DP5 or CSP12.

Other Matters

Several third party comments relate to the removal of trees. This is a separate matter unrelated to the determination of this application.

Conclusion

No objections are raised in regards to impact on neighbouring amenity or highways. However, the scale and design of the column lighting, walls and gates constitute inappropriate development in the Green Belt. No very special circumstances have been demonstrated to outweigh the harm. Furthermore, the application is harmful to the setting and special historic interest of the adjacent Listed buildings, harmful to the character and appearance of the area, and harmful to the character and setting of the Conservation Area.

All other material considerations, including third party comments, have been considered but none are sufficient to change the recommendation.

RECOMMENDATION:

REFUSE

Reasons:

1. The proposal constitutes inappropriate development in that it results in harm to the openness of the Metropolitan Green Belt. As such it is contrary to the provisions of Policy DP10 and DP13 of the Tandridge District Local Plan: Part 2 – Detailed Policies and the National Planning Policy Framework (NPPF).
2. The proposal fails to respect and contribute to the distinctive character and appearance of the rural area and results in a detrimental harm to the character of the property, its setting and local context, and the Lingfield Conservation Area and is therefore contrary to policy DP20 of the Tandridge Local Plan Part 2: Detailed Policies 2014 and policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.
3. The proposal fails to respect the historic significance of and results in substantial harm to the setting of a designated heritage asset, adjacent grade II* and

grade II listed buildings, contrary to Policies DP7 and DP20 of the Tandridge Local Plan Part 2: Detailed Policies 2014, policy CSP18 of the Core Strategy and the National Planning Policy Framework (NPPF).

This decision refers to drawings numbered 17/1/2 scanned on 17/01/2017.

	Signed	Date
Case Officer	AM	07/03/2017
Checked ENF	HAO	07.03.17
Final Check	CH	10}03}17